

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** as follows:

- (1) Defendants' motion for summary judgment (Docket No. 39) is **GRANTED**, and the excessive force claim against defendants Sykes, Messer, Powers, and Mullins is **DISMISSED** without prejudice due to Washington's failure to exhaust administrative remedies as required under 42 U.S.C. § 1997e(a); and
- (2) Defendant Nurse Powers's motion to dismiss (Docket No. 45) is **GRANTED**; and
- (3) The Clerk shall **STRIKE** this action from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the parties.

**ENTER:** This 15th day of July, 2013.

*Norman K. Moon*  
NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE